

# **M. Premo-Hopkins Reply Decl. Exhibit 11**

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**From:** Brian Abramson <babramson@whlaw.com>  
**Sent:** Tuesday, August 12, 2025 5:37 PM  
**To:** Premo-Hopkins, Mark W.; Fournier, Kristen; Vives, Michael  
**Cc:** Vartain, Laura; Davidson, Jessica; Brooks Cutter; Celine Cutter; William Levin; Walt Cubberly; John Eddie Williams Jr.; Larsen, Beth; Cox, Christopher; Coverstone, Kaitlyn L.; Brown, Alli; Caritis, Alexandra; John Taylor; Natalie Weatherford  
**Subject:** RE: Uber JCCP - M&C on Sealing and Protective Order

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Be cautious, particularly with links and attachments.

Apologies if I wasn't clear Mark. We don't believe there is anything else to discuss on that front. The leadership firms have all already responded to your prior emails and requests, Judge Schulman has clearly articulated his position, and nothing in his Order yesterday contemplated further M&C on that issue. If you read his Order or his guidance differently, let me know and we can discuss.

**Brian Abramson**

Partner

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**From:** Premo-Hopkins, Mark W. <mark.premohopkins@kirkland.com>

**Sent:** Tuesday, August 12, 2025 5:32 PM

**To:** Brian Abramson <babramson@whlaw.com>; Fournier, Kristen <kristen.fournier@kirkland.com>; Vives, Michael <michael.vives@kirkland.com>

**Cc:** Vartain, Laura <laura.vartain@kirkland.com>; Davidson, Jessica <jessica.davidson@kirkland.com>; Brooks Cutter <bcutter@cutterlaw.com>; Celine Cutter <ccutter@cutterlaw.com>; William Levin <wlevin@levinsimes.com>; Walt

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**Subject:** RE: Uber JCCP - M&C on Sealing and Protective Order

Brian – just because not clear to me from your email below. Does your list include an intention to meet-and-confer on the protective order issue laid out in my email?

**Mark Premo-Hopkins, P.C.**

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**From:** Brian Abramson <[babramson@whlaw.com](mailto:babramson@whlaw.com)>

**Sent:** Tuesday, August 12, 2025 6:25 PM

**To:** Fournier, Kristen <[kristen.fournier@kirkland.com](mailto:kristen.fournier@kirkland.com)>; Premo-Hopkins, Mark W. <[mark.premohopkins@kirkland.com](mailto:mark.premohopkins@kirkland.com)>; Vives, Michael <[michael.vives@kirkland.com](mailto:michael.vives@kirkland.com)>

**Cc:** Vartain, Laura <[laura.vartain@kirkland.com](mailto:laura.vartain@kirkland.com)>; Davidson, Jessica <[jessica.davidson@kirkland.com](mailto:jessica.davidson@kirkland.com)>; Brooks Cutter <[bcutter@cutterlaw.com](mailto:bcutter@cutterlaw.com)>; Celine Cutter <[ccutter@cutterlaw.com](mailto:ccutter@cutterlaw.com)>; William Levin <[wlevin@levinsimes.com](mailto:wlevin@levinsimes.com)>; Walt Cubberly <[wcubberly@whlaw.com](mailto:wcubberly@whlaw.com)>; John Eddie Williams Jr. <[jwilliams@whlaw.com](mailto:jwilliams@whlaw.com)>; Larsen, Beth <[beth.larsen@kirkland.com](mailto:beth.larsen@kirkland.com)>; Cox, Christopher <[christopher.cox@kirkland.com](mailto:christopher.cox@kirkland.com)>; Coverstone, Kaitlyn L. <[kaitlyn.coverstone@kirkland.com](mailto:kaitlyn.coverstone@kirkland.com)>; Brown, Alli <[alli.brown@kirkland.com](mailto:alli.brown@kirkland.com)>; Caritis, Alexandra <[alexandra.caritis@kirkland.com](mailto:alexandra.caritis@kirkland.com)>; John Taylor <[taylor@tayloring.com](mailto:taylor@tayloring.com)>; Natalie Weatherford <[weatherford@tayloring.com](mailto:weatherford@tayloring.com)>

**Subject:** RE: Uber JCCP - M&C on Sealing and Protective Order

Hi Kristen-

We are available to M&C on the issue Judge Schulman raised in his order regarding the implication of the NYT article on the sealing motions. We are also available to M&C on the substance of any proposed redactions once Uber sends those over.

Our side is available to talk tomorrow at 4:30 PT on the jury instructions/MIL issues you wrote about. Why don't we rope in these discussions to that M&C. If Uber can send over the proposed sealing documents before then, that would likely make the M&C more productive.

Thanks-Brian

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**From:** Fournier, Kristen <[kristen.fournier@kirkland.com](mailto:kristen.fournier@kirkland.com)>

**Sent:** Tuesday, August 12, 2025 1:14 PM

**To:** Premo-Hopkins, Mark W. <[mark.premohopkins@kirkland.com](mailto:mark.premohopkins@kirkland.com)>; Brian Abramson <[babramson@whlaw.com](mailto:babramson@whlaw.com)>; Vives, Michael <[michael.vives@kirkland.com](mailto:michael.vives@kirkland.com)>

**Cc:** Vartain, Laura <[laura.vartain@kirkland.com](mailto:laura.vartain@kirkland.com)>; Davidson, Jessica <[jessica.davidson@kirkland.com](mailto:jessica.davidson@kirkland.com)>; Brooks Cutter <[bcutter@cutterlaw.com](mailto:bcutter@cutterlaw.com)>; Celine Cutter <[ccutter@cutterlaw.com](mailto:ccutter@cutterlaw.com)>; William Levin <[wlevin@levinsimes.com](mailto:wlevin@levinsimes.com)>; Walt Cubberly <[wcubberly@whlaw.com](mailto:wcubberly@whlaw.com)>; John Eddie Williams Jr. <[jwilliams@whlaw.com](mailto:jwilliams@whlaw.com)>; Larsen, Beth <[beth.larsen@kirkland.com](mailto:beth.larsen@kirkland.com)>; Cox, Christopher <[christopher.cox@kirkland.com](mailto:christopher.cox@kirkland.com)>; Coverstone, Kaitlyn L. <[kaitlyn.coverstone@kirkland.com](mailto:kaitlyn.coverstone@kirkland.com)>; Brown, Alli <[alli.brown@kirkland.com](mailto:alli.brown@kirkland.com)>; Caritis, Alexandra <[alexandra.caritis@kirkland.com](mailto:alexandra.caritis@kirkland.com)>

**Subject:** RE: Uber JCCP - M&C on Sealing and Protective Order

Hi all:

Just wanting to follow up on Mark's request to see if you all could fit in a M&C on this issue sometime this afternoon or evening?

**Kristen Renee Fournier**

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**From:** Premo-Hopkins, Mark W. <[mark.premohopkins@kirkland.com](mailto:mark.premohopkins@kirkland.com)>

**Sent:** Monday, August 11, 2025 7:19 PM

**To:** Brian Abramson <[babramson@whlaw.com](mailto:babramson@whlaw.com)>; Vives, Michael <[michael.vives@kirkland.com](mailto:michael.vives@kirkland.com)>

**Cc:** Vartain, Laura <[laura.vartain@kirkland.com](mailto:laura.vartain@kirkland.com)>; Davidson, Jessica <[jessica.davidson@kirkland.com](mailto:jessica.davidson@kirkland.com)>; Brooks Cutter <[bcutter@cutterlaw.com](mailto:bcutter@cutterlaw.com)>; Celine Cutter <[ccutter@cutterlaw.com](mailto:ccutter@cutterlaw.com)>; William Levin <[wlevin@levinsimes.com](mailto:wlevin@levinsimes.com)>; Walt Cubberly <[wcubberly@whlaw.com](mailto:wcubberly@whlaw.com)>; John Eddie Williams Jr. <[jwilliams@whlaw.com](mailto:jwilliams@whlaw.com)>; Larsen, Beth <[beth.larsen@kirkland.com](mailto:beth.larsen@kirkland.com)>; Cox, Christopher <[christopher.cox@kirkland.com](mailto:christopher.cox@kirkland.com)>; Coverstone, Kaitlyn L. <[kaitlyn.coverstone@kirkland.com](mailto:kaitlyn.coverstone@kirkland.com)>; Brown, Alli <[alli.brown@kirkland.com](mailto:alli.brown@kirkland.com)>; Fournier, Kristen <[kristen.fournier@kirkland.com](mailto:kristen.fournier@kirkland.com)>; Caritis, Alexandra <[alexandra.caritis@kirkland.com](mailto:alexandra.caritis@kirkland.com)>

**Subject:** Uber JCCP - M&C on Sealing and Protective Order

Counsel –

We are reaching out in light of Judge Schulman's order today that requested the parties meet-and-confer regarding any impact the publication of the New York Times story on August 6, 2025 may have on the Court's final sealing rulings. We anticipate having updated proposed redactions to you soon, but the story's publication has required us to rework those to some degree.

We also should use the same time to discuss the facts surrounding any violation of the Court's protective order that led to the story's publication, and whether any motion practice will be necessary on that issue. As an update, we have received from the New York Times confirmation that File and Serve was not the source of the sealed documents referenced in the August 6, 2025 story. Uber also is conducting its own investigation. Uber requests each of the plaintiffs' firms that had access to the relevant documents (not just the leadership firms) conduct the following investigation and certify the following facts.

Please let us know times that work to discuss these issues.

\*\*\*\*\*INVESTIGATION FACTS TO BE CERTIFIED\*\*\*\*\*

1. I contacted each employee, contractor, consultant or agent (including expert witnesses) working with [INSERT FIRM NAME HERE], as well as any client who, based on a reasonable investigation, may have had access to the compilation of sealed documents/exhibits (or a significant subset thereof) submitted in connection with Plaintiffs' summary judgment opposition in the JCCP.
2. Each of the individuals identified in paragraph 1 confirmed to me that they had not shared or in any way provided access, directly or indirectly, to any of the documents referenced in the Article to the New York Times or its agents, either directly or indirectly.  
OR
3. The investigation described in paragraph 1 revealed information concerning the source of this unauthorized disclosure to the New York Times and then describe the circumstances of such disclosure.

**Mark Premo-Hopkins, P.C.**

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